

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

PENNSYLVANIA AMERICAN WATER CO.
Employer

and

Cases 06-RC-218527

UTILITY WORKERS UNITED ASSOCIATION,
LOCAL 537
Petitioner

and

UTILITY WORKERS UNION OF AMERICA,
AFL-CIO, CLC, AND ITS LOCAL 537
Intervenor

ORDER

The Employer's and the Intervenor's Requests for Review of the Regional Director's Decision and Direction of Election are denied as they raise no substantial issues warranting review.¹

JOHN F. RING,	CHAIRMAN
LAUREN McFERRAN,	MEMBER
MARVIN E. KAPLAN,	MEMBER

Dated, Washington, D.C., February 1, 2019

¹ In denying review, we agree with the Regional Director's finding that the parties' agreement to extend the collective-bargaining agreement for one year was ambiguous as to its effective date, and therefore did not meet the Board's formal and substantive requirements to bar a competing petition. *South Mountain Healthcare and Rehabilitation Center*, 344 NLRB 375 (2004). We therefore find it unnecessary to rely on the Regional Director's further findings that, under the Board's long-held policies, the extension agreement could not act as a contract bar because it prematurely extended the collective-bargaining agreement between the Employer and the Intervenor, did not clearly state on its face its duration period, and did not comply with the formal requirement of being signed by both parties.